

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion is respectfully requested.

Claims 1-9 and 21-31 are pending in the present application, Claims 1 and 7 are amended by way of the present amendment.

In the outstanding Office Action, Claims 30 and 31 were withdrawn from consideration as being directed to a non-elected invention; Claims 1-5, 7-10 and 21-18 were rejected under 35 U.S.C. 102(a, e) as being anticipated by U.S. 6,364,957 to Schneider; Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in view of U.S. 6,464,843 to Wicker; and Claim 29 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in view of U.S. 6,284,093 to Ke.

Turning now to the merits, in order to expedite issuance of a patent in this case, Claim 1 is extensively amended to include structural features that are neither taught nor suggested in the cited references. For example, Claim 1 now makes clear that the top surface of the focus ring is at a higher position than a substrate holder support surface on which the substrate rests. This is shown in Fig. 3-6 of Applicants' specification. In contrast, as shown in Fig. 11 of Schneider et al., the entire inner ring 282 (cited as the secondary focus ring) and the entire outer ring 290 (cited as the focus ring) are positioned below a support surface on which the substrate rests.

Further, Claim 1 clearly recites "an outer radial lip surface positioned radially outward from a peripheral edge of the substrate and extending upward from the lip receiving surface to the top surface of the focus ring such that a clearance space is formed between a cantilevered portion of the substrate and the lip of the focus ring." Fig. 11 of Schneider et al., does not show a lateral space between the outer peripheral edge of the substrate 15 and either

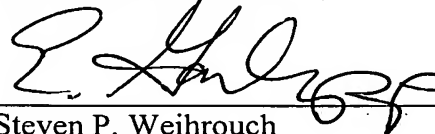
of the inner ring 282 (cited as the secondary focus ring) or outer ring 290 (cited as the focus ring). Applicants submit that at least these distinctions overcome the outstanding anticipation rejection based on Schneider et al.

The rejection of the dependent claims relies on the teachings of Schneider et al. in combination with teaching of the secondary references to Wicker and Ke. However, these secondary references also do not include the detailed structural features now recited in Claim 1. Thus, amended Claim 1 patentably defines over the cited references. As the remaining pending Claims depend from Claim 1, these dependent claims also patentably define over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



---

Steven P. Weihrouch  
Attorney of Record  
Registration No. 32,829

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 07/09)  
4035358\_1.DOC

Edwin D. Garlepp  
Registration No. 45,330